

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

V.

Civil Action No: 1:06cv640LG-JMR

**2002 FORD F-150 HARLEY DAVIDSON
TRUCK VIN: 1FTRW07372KC95594**

**DEFENDANT
PROPERTY**

DEFAULT JUDGMENT OF FORFEITURE

THIS matter is before the Court on the Motion for Default Judgment of Forfeiture filed by the United States of America (“Government”) and, finding that the relief sought by such motion has merit and should be granted, the Court further finds and adjudicates as follow:

1. The Verified Complaint in this matter was filed on June 27, 2006 (Ct. R., Doc. #1), and pursuant to order of this Court, the defendant property, described above, was arrested by the United States Marshal (Ct. R., Doc. #8).

2. Subsequently, notice of this action and of the arrest of defendant property was served by certified mail return-receipt requested upon Lathatius R. Jordan, Paula K. Jordan and SouthTrust Bank, as noted in the Proof of Service filed on November 2, 2006 (Ct. R., Doc. #7). On September 22, 2006, publication of the notice of the arrest of defendant property and of this action (Ct. R., Doc. #6) was duly completed in accordance with law and the order of this Court.

3. The notice informed all persons or entities, known and unknown, that the defendant property had been arrested, that this forfeiture action was pending, that they had thirty days from receipt of notice to file their claims and twenty days after filing the claim to file their

answers. Further, for guidance in the preparation of their claims and answers, the notice referred any such persons or entities to Rule C(6) of Supplemental Rules of Certain Admiralty and Maritime Claims, Title 28, United States Code, and warned that if this rule were not strictly followed any claim and answer could be stricken and a default judgment of forfeiture rendered.

4. The Government took all reasonable measures to insure that Lathatius R. Jordan, Paula K. Jordan and SouthTrust Bank, and any other persons or entities received such notice in a timely fashion. To this date, however, neither Lathatius R. Jordan, Paula K. Jordan and SouthTrust Bank, nor any other person or entity has filed a claim, answer, or any other pleading in this case nor have they otherwise appeared herein, individually or through a representative. Therefore, any such potential claimants are in total default, the Entry of Default (Ct. R., Doc. #13) made by the Clerk was entirely proper, and the Government is entitled to a default judgment of forfeiture, all without the necessity of any further notice to Lathatius R. Jordan, Paula K. Jordan and SouthTrust Bank or any other person or entity.

IT IS, THEREFORE, ORDERED AND ADJUDGED AS FOLLOWS:

a. The United States of America is hereby given a default judgment of forfeiture against the defendant property described above and against the interests therein of Lathatius R. Jordan, Paula K. Jordan and SouthTrust Bank and any and all persons or entities having or claiming an interest in defendant property.

b. Title to defendant property is hereby vested in the United States of America and any administrative claims or interests therein of any persons or entities, including Lathatius R. Jordan, Paula K. Jordan and SouthTrust Bank, are hereby canceled.

c. Defendant property is referred to the custody of the United States Marshal for

disposition in accordance with law and regulations.

SO ORDERED AND ADJUDGED this the 21st day of December, 2006.

Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATE DISTRICT JUDGE